

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**EDDYSTONE RAIL COMPANY,  
LLC,**

**Plaintiff,**

**v.**

**BRIDGER LOGISTICS, LLC, JULIO  
RIOS, JEREMY GAMBOA,  
FERRELLGAS PARTNERS, L.P. and  
FERRELLGAS, L.P.,**

**Defendants.**

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**Civil Action No. 2:17-CV-00495-RK**

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**DEFENDANTS JULIO RIOS' AND JEREMY GAMBOA'S  
NOTICE OF JOINING CO-DEFENDANTS' OPPOSITION TO PLAINTIFF'S  
MOTION TO DISMISS COUNTERCLAIMS AND STRIKE AFFIRMATIVE DEFENSES**

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Defendants Julio Rios and Jeremy Gamboa (the "Individual Defendants") file this Notice that they join in the Opposition to Plaintiff Eddystone Rail Company, LLC's ("Plaintiff") Motion to Dismiss Counterclaims and Strike Affirmative Defenses ("Plaintiff's Motion to Dismiss") filed on November 6, 2017 by Defendants Bridger Logistics, LLC, Ferrellgas Partners, L.P., and Ferrellgas, L.P. (the "BL/FG Defendants' Opposition"). Accordingly, in joining the BL/FG Defendants' Opposition, the Individual Defendants request that the Court deny Plaintiff's request to strike the Individual Defendants' Eighteenth Affirmative Defense for the reasons asserted therein.<sup>1</sup>

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<sup>1</sup> The Individual Defendants' Eighteenth Affirmative Defense is materially similar to the BL/FG Defendants' Seventeenth, Eighteenth and Twentieth Defenses. *See* Rios' and Gamboa's Original Answer [ECF No. 66]; Defendants / Third-Party Plaintiffs Bridger Logistics, LLC's First Amended Answer and Defenses to Complaint and Counterclaims [ECF No. 76]; Defendants / Third-Party Plaintiffs Ferrellgas Partners, L.P. and Ferrellgas, L.P.'s First Amended Answer and Defenses to Complaint and Counterclaims [ECF No. 77]. Accordingly, the Individual Defendants join in the arguments made by the BL/FG Defendants in each section of their Opposition.

Dated: November 6, 2017

Respectfully submitted:

/s/ Jeremy A. Fielding

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**CERTIFICATE OF SERVICE**

I, Jonathan Kelley, hereby certify that I served the foregoing document on all counsel of record via ECF filing on November 6, 2017 as follows:

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